

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

FEDERATED NATIONAL MORTGAGE  
ASSOCIATION,

No. C-11-1444 EMC

Plaintiff,

**ORDER TO SHOW CAUSE**

v.

DON A. HARDING, *et al.*,

Defendants.

Plaintiff has filed an *ex parte* application, asking that the instant case, which was removed to federal court by Defendants, be remanded back to the state court. Plaintiff explains that it is moving *ex parte* and asking for remand on an expedited basis “so that there is no delay in the enforcement of the Writ of Possession.” Weber Decl. ¶ 9.

While the Court is not unsympathetic to Plaintiff’s position, Defendants should, as a matter of fairness, be given an opportunity to respond to the request for a remand. Moreover, while the Court is willing to consider the request on an expedited basis, Defendants should be given sufficient time to formulate a response, particularly as they are proceeding pro se.

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1 Accordingly, the Court hereby orders as follows. **Defendants are hereby ordered to show**  
2 **cause why the case should not be remanded back to state court, as requested by Plaintiff.**  
3 Defendants shall have until June 10, 2011 to file and serve a response to this order to show cause.  
4 There shall be no reply brief. Absent further order of the Court, the Court shall not hold a hearing  
5 on the motion to remand and shall rule on the papers.

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7 IT IS SO ORDERED.

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9 Dated: May 24, 2011

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12 EDWARD M. CHEN  
13 United States District Judge  
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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

FEDERATED NATIONAL MORTGAGE  
ASSOCIATION,

No. C-11-1444 EMC

Plaintiff,

v.

**CERTIFICATE OF SERVICE**

DON A. HARDING, *et al.*,

Defendants.

I, the undersigned, hereby certify that I am an employee in the U.S. District Court, Northern District of California. On the below date, I served a true and correct copy of the attached, by placing said copy/copies in a postage-paid envelope addressed to the person(s) listed below, by depositing said envelope in the U.S. Mail; or by placing said copy/copies into an inter-office delivery receptacle located in the Office of the Clerk.

DON A. HARDING  
104 Spears Circle  
Richmond, CA 94801  
(510) 472-3881

BRYAN R. BARNES  
104 Spears Circle  
Richmond, CA 94801  
(510) 472-3881

CYNTHIA HARDING  
104 Spears Circle  
Richmond, CA 94801  
(510) 472-3881

Dated: May 24, 2011

RICHARD W. WIEKING, CLERK

By: /s/ Leni Doyle  
Leni Doyle  
Deputy Clerk